



Embassy of the United States of America
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Installment Seventy-Seven

Ask the Consul – Child Citizenship Act of 2000

The Child Citizenship Act of 2000 allows certain foreign-born, biological and adopted children of U.S. citizens to acquire U.S. citizenship automatically. These children did not acquire U.S. citizenship at birth, but they are granted citizenship when they enter the United States as lawful permanent residents (LPRs) in the legal care and physical custody of a U.S. citizen parent or parents.

What Are the Requirements of the Child Citizenship Act of 2000?

The child must meet the following requirements:

- Have at least one U.S. citizen parent by birth or naturalization;
- Be under 18 years of age;
- Live in the legal and physical custody of the U.S. citizen parent; **and**
- Be admitted into the United States as an immigrant for legal permanent residence.

In addition, if the child is adopted, the adoption must be full and final.

What Is the Effective Date of the Child Citizenship Act?

The effective date of the Child Citizenship Act is February 27, 2001. Children in the United States who met these requirements on that date automatically became U.S. citizens. Children who were 18 years of age or older on that date did not acquire U.S. citizenship from the Child Citizenship Act of 2000.

How Does a Child Show Lawful Permanent Residence?

A child who has legal permanent residence (LPR status) will have a permanent resident card (green card). Another way to show LPR status is the I-551 stamp in the child's Guyanese passport. This stamp shows the child has entered the United States on an immigrant visa and/or has been admitted as a lawful permanent resident.

Must the Child Get a Certificate of Citizenship?

You do not have to apply for a certificate of citizenship for your child if the requirements for the Child Citizenship Act have been met. If you do, however, want to apply for a certificate, please visit www.uscis.gov for instructions.

How Does the Child Get a U.S. Passport Under the Child Citizenship Act?

You will need the following when the child applies for a U.S. passport:

- Proof of the child's relationship to the U.S. citizen parent. For the biological child of the U.S. citizen this will be a certified copy of the foreign birth certificate (and translation if not in English). For an adopted child, it is a certified copy of the final adoption decree (and translation if not in English);
- The child's foreign passport showing the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) I-551 stamp in the passport, or the child's legal permanent resident card (green card);
- Proof of identity of the U.S. citizen parent(s)
- Evidence that the child was in the legal care and physical custody of the U.S. citizen parent(s) (such as school records, medical records, or other evidence that the child was under the care of the U.S. citizen parent(s)).
- Passport application, passport photographs and fees. Go to http://travel.state.gov/passport/passport_1738.html for forms and full instructions.

Can My Child Get a Birth Certificate (Consular Report of Birth Abroad or CRBA) from the U.S. Embassy?

No. Only a child who acquired citizenship at birth can get a Consular Report of Birth Abroad (CRBA) from the U.S. Embassy. The American Citizens Services Section in the U.S. Embassy can provide additional information on requirements for a CRBA. Please consult the U.S. Embassy website for additional information at <http://georgetown.usembassy.gov/>

What Are the Other Provisions of the Child Citizenship Act?

Another section of the Child Citizenship Act provides that children (biological or adopted) of U.S. citizens who are born and reside abroad, and who do not become U.S. citizens at birth can apply to the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) for a certificate of citizenship if the following conditions are met:

- At least one parent of the child is a U.S. citizen by birth or naturalization.
- The U.S. citizen parent has been physically present in the United States for a total of at least five years, at least two of which are after the age of 14. If the child's U.S. citizen parent cannot meet the physical presence requirement, it is enough if one of the child's U.S. citizen grandparents can meet it.
- The child is under the age of eighteen.
- The child lives abroad in the legal and physical custody of the U.S. citizen parent and has been lawfully admitted into the United States as a nonimmigrant.

Children who acquire citizenship under this provision do not acquire citizenship automatically. They must apply to the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (USCIS) and go through the naturalization process.

“Ask the Consul” is a bi-weekly column from the U.S. Embassy answering questions about U.S. immigration law and visa issues. If you have a general question about visa policy please email it to us at AskGeorge@state.gov. We select questions every other week and publish the answers in Stabroek News and on our website at http://georgetown.usembassy.gov/guyana/ask_con.html. For more information about visas please see <http://www.unitedstatesvisas.gov> or <http://georgetown.usembassy.gov/>.

Other than the questions we select, we DO NOT respond to questions sent to Ask the Consul. Please contact the visa inquiries unit (email visageorge@state.gov or call 225-7965 between 8 am and 4 pm Monday through Friday) if you have questions about a specific case.